

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, Individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A,  
BIOPTIX, INC., JOHN O'ROURKE,  
JEFFREY G. MCGONEGAL, BARRY  
HONIG, CATHERINE  
DEFRANCESCO, MICHAEL  
BEEGHLEY, JOHN STETSON, MARK  
GROSSMAN, ANDREW KAPLAN,  
MIKE DAI, JASON LES, and ERIC SO,

Defendants.

Civil No. 3:18-CV-02293(FLW)(ZNQ)

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**DEFENDANTS' LOCAL RULE 11.2 CERTIFICATION**

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*RIOT BLOCKCHAIN, INC., JOHN O'ROURKE, MICHAEL BEEGHLEY,  
JEFFREY G. MCGONEGAL, ANDREW KAPLAN, JASON LES, AND ERIC SO*

Pursuant to Local Rule 11.2, Defendants Riot Blockchain, Inc. (“Riot”), John O’Rourke (“O’Rourke”), Michael Beeghley (“Beeghley”), Jeffrey G. McGonegal (“McGonegal”), Andrew Kaplan (“Kaplan”), Jason Les (“Les”), and Eric So (“So”) certify, by and through their undersigned attorneys, that the matter in controversy in this action is also the subject of the following shareholder derivative lawsuits:

1. Michael Jackson, derivatively on behalf of Riot Blockchain, Inc. F/K/A Bioptix, Inc. v. John R. O’Rourke, Jeffrey G. McGonegal, Andrew J. Kaplan, Jason Les, Barry C. Honig, and Eric So, and Riot Blockchain, Inc. F/K/A Bioptix, Inc., Case Number 604520/2018, pending in the Supreme Court of the State of New York, County of Nassau. Riot, O’Rourke, McGonegal, Kaplan, Les, So, and Barry C. Honig (“Honig”) are all parties to this action;
2. Edward Monts, derivatively on behalf of Riot Blockchain, Inc. F/K/A Bioptix, Inc. v. John R. O’Rourke, Jeffrey G. McGonegal, Andrew J. Kaplan, Jason Les, Barry C. Honig, and Eric So, and Riot Blockchain, Inc. F/K/A Bioptix, Inc., Case Number 1:18-CV-1443-MAD-DJS, pending in the United States District Court for the Northern District of New York. Riot, O’Rourke, McGonegal, Kaplan, Les, So, and Honig are all parties to this action;

3. Christopher Finitz, Kyle Irvine and Todd Smith, derivatively on behalf of Riot Blockchain, Inc. v. John R. O'Rourke, Michael M. Beeghley, Jeffrey G. McGonegal, Barry Honig, Andrew J. Kaplan, Jason Les, and Eric So, and Riot Blockchain, Inc., Case Number 1:18-cv-09640, pending in the United States District Court for the Southern District of New York. Riot, O'Rourke, Beeghley, McGonegal, Kaplan, Les, So, and Honig are all parties to this action; and
4. In re Riot Blockchain, Inc., Case Number A-18-774890-B, pending in the Eighth Judicial District Court of the State of Nevada in and for the County of Clark. Riot, O'Rourke, Kaplan, Les, McGonegal, Honig, and So are all parties to this action.

DATED: September 11, 2019

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By: /s/ Chad J. Peterman

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